

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission
RAIL SAFETY SECTION

CITY OF WEST CHICAGO, ILLINOIS,)	
)	
<u>Petitioner,</u>)	
v.)	
)	
UNION PACIFIC RAILROAD)	
COMPANY,)	No. T-01-0027
and)	
)	
ILLINOIS DEPARTMENT OF)	
TRANSPORTATION,)	
)	
<u>Respondents.</u>)	

**THIRD SUPPLEMENT TO PETITION FOR PERMISSION TO OPEN A GRADE
CROSSING OF A PUBLIC HIGHWAY WITH
RAILROAD TRACKS AND FOR ALLOCATION
OF THE COSTS OF CONSTRUCTION OF
THE CROSSING AND CROSSING PROTECTION DEVICES**

THE CITY OF WEST CHICAGO, ILLINOIS ("City") hereby files this third Supplement to a Petition that it filed in this matter on April 3, 2001.

The City's Petition resulted in a Commission Order entered on September 12, 2001 requiring and directing the City to proceed with the construction of the extension of Atlantic Drive over the spur track of the Union Pacific Railroad Company to connect with Woodland Avenue in the City of West Chicago, Du Page County, Illinois. Such order was made subject to a number of conditions.

In a Supplement to that Petition filed at the Commission on July 11, 2002, the City requested that the completion date in the 12th ordering paragraph of the Commission order

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entered on September 12, 2001 be extended by one year, to September 12, 2003. It does not appear that the Commission acted on that request.

In a second Supplement to that Petition filed at the Commission on August 12, 2003, the City requested that the completion date in the 12th Ordering paragraph of the Commission order entered on September 12, 2001 be extended to September 12, 2004. It does not appear that the Commission acted on that request.

As here pertinent, the 12th ordering paragraph on page 4 of the Commission order provides as follows:

IT IS FURTHER ORDERED that the Railroad and the City are hereby required and directed to proceed immediately in performing the work required of them and shall complete these respective improvements within twelve months of the date of this Order.

This third Supplement is filed to seek an additional one-year extension of the completion date provided in that order. If this third Supplement were to be granted, the improvements covered by the order would be required to be completed within forty-eight months of the date of the order; that is, by September 12, 2005.

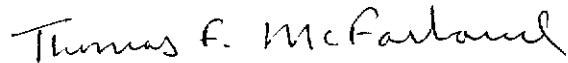
This third Supplement is necessitated and justified as a result of an unanticipated delay in construction occasioned by drainage problems encountered in the area of the proposed improvements. Those drainage problems must be resolved before construction of the improvements can begin.

WHEREFORE, the City respectfully requests that the completion date in the 12th ordering paragraph of the Commission order entered September 12, 2001 be extended by an additional one year, to September 12, 2005.

Respectfully submitted,

CITY OF WEST CHICAGO, ILLINOIS
475 Main Street
P.O. Box 488
West Chicago, IL 60185

Petitioner



PATRICK BOND
BOND, MORK & DICKSON
203 East Liberty Street
Wheaton, IL 60187
(630) 681-1000

THOMAS F. McFARLAND
THOMAS F. McFARLAND, P.C.
208 South LaSalle Street
Suite 1890
Chicago, IL 60606-1194
(312) 236-0204

Attorneys for Petitioner

Date Filed: August 5, 2004

CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2004, I served a copy of the foregoing Third Supplement to Petition by first-class, U.S. mail on all parties of record as follows:

Mack H. Shumate, Jr., Attorney
Union Pacific Railroad Company
101 North Wacker Drive, Suite 1920
Chicago, IL 60606

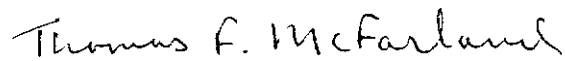
Bob Berry
Railroad Section
Illinois Commerce Commission
527 East Capitol
Springfield, IL 62794

Tom Zapler
Government Affairs
Union Pacific Railroad Company
101 North Wacker Drive, Suite 1910
Chicago, IL 60606

Kevin Sharpe
Director of Processing
Illinois Commerce Commission
527 East Capitol
P.O. Box 19280
Springfield, IL 62794-9280

James Slifer, Director
Director, Division of Highways
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

June Tate
Hearing Examiner
Illinois Commerce Commission
160 N. LaSalle St., 8th fl.
Chicago, IL 60601



Thomas F. McFarland